

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

William M. Rolley
Tracey Lynn Rolley
fka Tracey L. Marsden
Debtor(s)

Bankruptcy Case No.: 20-20228-CMB
Per July 30, 2020 Proceeding
Chapter: 13
Docket No.: 29 – 6, 24
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated January 14, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☒ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Pennymac (Cl #36); Ally Bank (Cl #37) as timely filed. .
- ☒ H. Additional Terms: Plan calc includes \$28,000 for vehicle financing after current vehicle leases mature. This is not a safety fund but rather is a line item to be paid from plan payments after the new replacement vehicle financing is approved. Trustee's confirmation of this plan with this provision is not a consent to finance vehicles at a monthly amount of \$700 per vehicle when the current leases mature. Trustee reserves all objections to any future financing.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: August 4, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 William M. Rolley
 Tracey Lynn Rolley
 Debtors

Case No. 20-20228-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: gamr
 Form ID: 149

Page 1 of 2
 Total Noticed: 56

Date Rcvd: Aug 05, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 07, 2020.

db +William M. Rolley, 319 Drexel Drive, Monroeville, PA 15146-1511
 jdb +Tracey Lynn Rolley, 319 Drexel Drive, Monroeville, PA 15146-1511
 15186977 +BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, PO Box 982234, El Paso, TX 79998)
 15192166 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
 15186978 +Barclays Bank Delaware, POB 8803, Wilmington, DE 19899-8803
 15186982 +Citicards CBNA, 5800 South Corporate, Sioux Falls, SD 57108-5027
 15186981 +Citicards CBNA, PO Box 6241, Sioux Falls, SD 57117-6241
 15186988 +HSBC Bank, 95 Washington St., Buffalo, NY 14203-3006
 15222221 +HSBC Bank USA, N.A., 2929 Walden Ave C17, Attn:Business Services, Depew, NY 14043-2690
 15196776 +Hyundai Lease Titling Trust, PO Box 20825, Fountain Valley, CA 92728-0825
 15204847 +JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A.,
 c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100,
 Boca Raton, FL 33487-2853
 15186992 Kia Finance, PO Box 660891, Louisville, KY 40290
 15186993 +LendingClub Corporation, 595 Market St, Suite 200, San Francisco, CA 94105-2807
 15186995 Magee Women's Hospital, c/o CMC, PO Box 16436, Pittsburgh, PA 15242
 15186996 +National Enterprise Systems, 2479 Edison Blvd., Unit A, Twinsburg, OH 44087-2476
 15199491 +PCA Acquisition V, LLC c/o, Phillips & Cohen Associates, LTD, 1002 Justison Street,
 Wilmington DE 19801-5148
 15186997 +PennyMac, PO Box 514387, Los Angeles, CA 90051-4387
 15225194 +PennyMac Loan Services, LLC, P.O. Box 2410, Moorpark, CA 93020-2410
 15210533 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
 15187009 +Victoria/Comenity Bank, PO Box 182798, Columbus, OH 43218-2798

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 06 2020 04:26:37
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15186976 +E-mail/Text: ally@ebn.phinsolutions.com Aug 06 2020 04:16:44 Ally, PO Box 380902,
 Minneapolis, MN 55438-0902
 15226681 E-mail/Text: ally@ebn.phinsolutions.com Aug 06 2020 04:16:44 Ally Bank Lease Trust,
 PO Box 130424, Roseville MN 55113-0004
 15186980 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 06 2020 04:25:55 Capital One Bank,
 PO Box 85015, Richmond, VA 23285
 15212272 E-mail/Text: Bankruptcy.RI@Citizensbank.com Aug 06 2020 04:16:48 Citizens Bank N.A.,
 One Citizens Bank Way, Mailstop: JCA115, Johnston, RI 02919
 15186998 E-mail/Text: Bankruptcy.RI@Citizensbank.com Aug 06 2020 04:16:48 RBS Citizens, NA,
 1000 Lafayette Blvd., Bridgeport, CT 06604
 15186979 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 06 2020 04:26:32 Capital One Bank,
 PO Box 30281, Salt Lake City, UT 84130-0281
 15194236 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 06 2020 04:25:55
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15186983 +E-mail/Text: Bankruptcy.RI@Citizensbank.com Aug 06 2020 04:16:48 Citizans Bank,
 PO Box 7092, Bridgeport, CT 06601-7092
 15186984 +E-mail/Text: mediamanagers@clientservices.com Aug 06 2020 04:16:45 Client Services, Inc.,
 3451 Harry S. Truman Blvd., Saint Charles, MO 63301-9816
 15186986 +E-mail/PDF: creditonebknofifications@resurgent.com Aug 06 2020 04:26:35 Credit One Bank,
 PO Box 98873, Las Vegas, NV 89193-8873
 15186985 +E-mail/PDF: creditonebknofifications@resurgent.com Aug 06 2020 04:25:59 Credit One Bank,
 PO Box 98875, Las Vegas, NV 89193-8875
 15186987 E-mail/Text: mrdiscen@discover.com Aug 06 2020 04:16:51 Discover, PO Box 15316,
 Wilmington, DE 19850
 15190285 E-mail/Text: mrdiscen@discover.com Aug 06 2020 04:16:51 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 15223780 +E-mail/Text: kbarkley@bernsteinlaw.com Aug 06 2020 04:18:32 Duquesne Light Company,
 c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 15220178 E-mail/Text: JCAP_BNC_Notices@jcap.com Aug 06 2020 04:18:10 Jefferson Capital Systems LLC,
 Po Box 7999, Saint Cloud Mn 56302-9617
 15186990 E-mail/PDF: ais.chase.ebn@americaninfosource.com Aug 06 2020 04:26:30 JPMCB, PO Box 15369,
 Wilmington, DE 19850
 15186991 E-mail/PDF: ais.chase.ebn@americaninfosource.com Aug 06 2020 04:25:54 JPMCB Card Services,
 PO Box 15369, Wilmington, DE 19850
 15186989 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Aug 06 2020 04:17:10 Jared/Comenity Bank,
 PO Box 1822789, Columbus, OH 43218
 15194125 E-mail/PDF: resurgentbknofifications@resurgent.com Aug 06 2020 04:26:02 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15186994 +E-mail/PDF: gecsedirecoverycorp.com Aug 06 2020 04:26:28 Lowes, PO Box 965036,
 Orlando, FL 32896-5036
 15204190 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 06 2020 04:26:39
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541

District/off: 0315-2

User: gamr
Form ID: 149

Page 2 of 2
Total Noticed: 56

Date Rcvd: Aug 05, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15221442 E-mail/Text: bnc-quantum@quantum3group.com Aug 06 2020 04:17:14
Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
15186999 +E-mail/PDF: gecsedirecoverycorp.com Aug 06 2020 04:26:30 SYNCB/Amazon, PO Box 965015,
Orlando, FL 32896-5015
15187000 +E-mail/PDF: gecsedirecoverycorp.com Aug 06 2020 04:27:09 SYNCB/Care Credit,
PO Box 965036, Orlando, FL 32896-5036
15187001 +E-mail/PDF: gecsedirecoverycorp.com Aug 06 2020 04:26:29 SYNCB/JCP, PO Box 965007,
Orlando, FL 32896-5007
15187002 +E-mail/PDF: gecsedirecoverycorp.com Aug 06 2020 04:27:10 SYNCB/Ntwk, PO Box 965036,
Orlando, FL 32896-5036
15187003 +E-mail/PDF: gecsedirecoverycorp.com Aug 06 2020 04:26:29 SYNCB/Pep Boys, PO Box 965068,
Orlando, FL 32896-5068
15187004 +E-mail/PDF: gecsedirecoverycorp.com Aug 06 2020 04:25:54 SYNCB/QVC, PO Box 965018,
Orlando, FL 32896-5018
15187005 +E-mail/PDF: gecsedirecoverycorp.com Aug 06 2020 04:25:52 SYNCB/Sam's Club, PO Box 965005,
Orlando, FL 32896-5005
15187006 +E-mail/PDF: gecsedirecoverycorp.com Aug 06 2020 04:26:30 SYNCB/Scorerewards,
PO Box 965036, Orlando, FL 32896-5036
15187007 +E-mail/PDF: gecsedirecoverycorp.com Aug 06 2020 04:26:29 SYNCB/TJ Max, PO Box 965036,
Orlando, FL 32896-5036
15187008 +E-mail/PDF: gecsedirecoverycorp.com Aug 06 2020 04:26:28 SYNCB/Walmart, PO Box 965024,
Orlando, FL 32896-5024
15187413 +E-mail/PDF: gecsedirecoverycorp.com Aug 06 2020 04:27:11 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15220656 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Aug 06 2020 04:26:17 Verizon,
by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
15187010 +E-mail/PDF: gecsedirecoverycorp.com Aug 06 2020 04:27:12 Walmart, PO Box 965024,
Orlando, FL 32896-5024

TOTAL: 36

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PENNYMAC LOAN SERVICES, LLC
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15199492* +PCA Acquisition V, LLC c/o, Phillips & Cohen Associates, LTD, 1002 Justison Street,
Wilmington DE 19801-5148

TOTALS: 1, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 07, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 4, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor PENNYMAC LOAN SERVICES, LLC bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Scott R. Lowden on behalf of Joint Debtor Tracey Lynn Rolley niclowlgl@comcast.net
Scott R. Lowden on behalf of Debtor William M. Rolley niclowlgl@comcast.net

TOTAL: 6